

Chapter No. \_\_\_\_\_  
06/HR40/A651SG  
*JP/MW*

## ***HOUSE BILL NO. 1576***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1576

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2007.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2006, and ending June 30, 2007 ..... \$ 93,530,087.00.

**SECTION 2.** The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2006, and ending June 30, 2007 .....  
..... \$ 681,721,677.00.

**SECTION 3.** None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

**SECTION 4.** Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended for the respective major objects or purposes of expenditure:

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## DIVISION OF YOUTH SERVICES

## MAJOR OBJECTS OF EXPENDITURE:

## Personal Services:

Salaries, Wages and Fringe Benefits .. \$	20,674,737.00
Travel and Subsistence .....	187,048.00
Contractual Services .....	3,124,096.00
Commodities .....	1,927,140.00
Capital Outlay:	
Other Than Equipment .....	0.00
Equipment .....	142,000.00
Subsidies, Loans and Grants .....	<u>5,750,000.00</u>
Total .....	\$ 31,805,021.00

## FUNDING:

General Funds .....	\$ 19,149,718.00
Special Funds .....	<u>12,655,303.00</u>
Total .....	\$ 31,805,021.00

## AUTHORIZED POSITIONS:

Permanent: Full Time .....	471
Part Time .....	4
Time-Limited: Full Time .....	96
Part Time .....	0

Any person within the Office of Youth Services classified as Youth Services Counselor Aide I, Youth Services Counselor Aide II, Youth Services Counselor Aide III, Security Officer I, Security Officer II, Security Officer III, Recreation Supervisor, General Services Employee I, General Services Employee II, Youth Services Counselor I, Youth Services Counselor II, and Youth Services Counselor III, who must work on a statutory holiday or any holiday proclaimed by the Governor, may at the discretion of the superintendents of the institutions and the Executive Director of the Office of Youth Services and within available personnel funds, be paid "call back pay" in lieu of "compensatory time credit."

It is the intention of the Legislature that the Office of Youth Services shall have the authority to accept from any source including, but not limited to, proceeds from sale of vehicles, equipment or any other property which becomes obsolete or is no longer needed. It is the intent that such funds will be approved for allocation and expenditure in a manner consistent with the rules and regulations of the Department of Finance and Administration.

#### DIVISION OF FAMILY AND CHILDREN'S SERVICES

##### MAJOR OBJECTS OF EXPENDITURE:

###### Personal Services:

Salaries, Wages and Fringe Benefits .. \$	29,828,454.00
Travel and Subsistence .....	2,485,245.00
Contractual Services .....	14,127,039.00
Commodities .....	654,062.00

###### Capital Outlay:

Other Than Equipment .....	0.00
Equipment .....	102,170.00
Subsidies, Loans and Grants .....	<u>27,432,375.00</u>
Total .....	\$ 74,629,345.00

##### FUNDING:

General Funds .....	\$ 18,626,387.00
Special Funds .....	<u>56,002,958.00</u>
Total .....	\$ 74,629,345.00

##### AUTHORIZED POSITIONS:

Permanent: Full Time .....	584
Part Time .....	0
Time-Limited: Full Time .....	202
Part Time .....	0

#### DIVISION OF AGING AND ADULT SERVICES

##### MAJOR OBJECTS OF EXPENDITURE:

###### Personal Services:

Salaries, Wages and Fringe Benefits .. \$	1,129,514.00
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Travel and Subsistence .....	57,344.00
Contractual Services .....	264,499.00
Commodities .....	38,200.00
<b>Capital Outlay:</b>	
Other Than Equipment .....	0.00
Equipment .....	4,340.00
Subsidies, Loans and Grants .....	<u>18,501,870.00</u>
Total .....	\$ 19,995,767.00

**FUNDING:**

General Funds .....	\$ 1,300,412.00
Special Funds .....	<u>18,695,355.00</u>
Total .....	\$ 19,995,767.00

**AUTHORIZED POSITIONS:**

Permanent: Full Time .....	23
Part Time .....	0
Time-Limited: Full Time .....	7
Part Time .....	0

**DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE  
FOR NEEDY FAMILIES (TANF)**

**MAJOR OBJECTS OF EXPENDITURE:****Personal Services:**

Salaries, Wages and Fringe Benefits ..	\$ 44,037,918.00
Travel and Subsistence .....	447,711.00
Contractual Services .....	32,645,537.00
Commodities .....	659,374.00

**Capital Outlay:**

Other Than Equipment .....	0.00
Equipment .....	386,516.00
Subsidies, Loans and Grants .....	<u>409,097,994.00</u>
Total .....	\$ 487,275,050.00

**FUNDING:**

General Funds .....	\$ 39,549,525.00
Special Funds .....	<u>447,725,525.00</u>

Total ..... \$ 487,275,050.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	1,044
	Part Time .....	0
Time-Limited:	Full Time .....	152
	Part Time .....	0

DIVISION OF CHILD SUPPORT ENFORCEMENT

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits ..	\$ 19,864,417.00
Travel and Subsistence .....	375,000.00
Contractual Services .....	6,611,433.00
Commodities .....	269,450.00

Capital Outlay:

Other Than Equipment .....	0.00
Equipment .....	88,700.00
Subsidies, Loans and Grants .....	<u>9,481,199.00</u>
Total .....	\$ 36,690,199.00

FUNDING:

General Funds .....	\$ 5,499,239.00
Special Funds .....	<u>31,190,960.00</u>
Total .....	\$ 36,690,199.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	298
	Part Time .....	0
Time-Limited:	Full Time .....	219
	Part Time .....	0

DIVISION OF COMMUNITY SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits ..	\$ 525,227.00
Travel and Subsistence .....	29,303.00
Contractual Services .....	388,421.00

Commodities .....	77,425.00
Capital Outlay:	
Other Than Equipment .....	0.00
Equipment .....	8,000.00
Subsidies, Loans and Grants .....	<u>27,195,000.00</u>
Total .....	\$ 28,223,376.00

## FUNDING:

General Funds .....	\$ 0.00
Special Funds .....	<u>28,223,376.00</u>
Total .....	\$ 28,223,376.00

## AUTHORIZED POSITIONS:

Permanent: Full Time .....	8
Part Time .....	0
Time-Limited: Full Time .....	3
Part Time .....	0

## DIVISION OF SUPPORT SERVICES

## MAJOR OBJECTS OF EXPENDITURE:

## Personal Services:

Salaries, Wages and Fringe Benefits ..	\$ 9,965,597.00
Travel and Subsistence .....	93,050.00
Contractual Services .....	2,227,596.00
Commodities .....	97,307.00

## Capital Outlay:

Other Than Equipment .....	0.00
Equipment .....	91,136.00
Subsidies, Loans and Grants .....	<u>64,400.00</u>
Total .....	\$ 12,539,086.00

## FUNDING:

General Funds .....	\$ 3,564,308.00
Special Funds .....	<u>8,974,778.00</u>
Total .....	\$ 12,539,086.00

## AUTHORIZED POSITIONS:

Permanent: Full Time .....	186
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Part Time .....	0
Time-Limited: Full Time .....	20
Part Time .....	0

#### SOCIAL SERVICES BLOCK GRANT PROGRAM

##### MAJOR OBJECTS OF EXPENDITURE:

###### Personal Services:

Salaries, Wages and Fringe Benefits .. \$	116,633.00
Travel and Subsistence .....	4,000.00
Contractual Services .....	79,793.00
Commodities .....	2,800.00
Capital Outlay:	
Other Than Equipment .....	0.00
Equipment .....	3,690.00
Subsidies, Loans and Grants .....	<u>5,500,000.00</u>
Total .....	\$ 5,706,916.00

##### FUNDING:

General Funds .....	\$ 0.00
Special Funds .....	<u>5,706,916.00</u>
Total .....	\$ 5,706,916.00

##### AUTHORIZED POSITIONS:

Permanent: Full Time .....	1
Part Time .....	0
Time-Limited: Full Time .....	1
Part Time .....	0

#### OFFICE FOR CHILDREN AND YOUTH

##### MAJOR OBJECTS OF EXPENDITURE:

###### Personal Services:

Salaries, Wages and Fringe Benefits .. \$	804,977.00
Travel and Subsistence .....	12,421.00
Contractual Services .....	353,795.00
Commodities .....	33,500.00
Capital Outlay:	
Other Than Equipment .....	0.00

Equipment .....	29,450.00
Subsidies, Loans and Grants .....	<u>77,152,861.00</u>
Total .....	\$ 78,387,004.00

## FUNDING:

General Funds .....	\$ 5,840,498.00
Special Funds .....	<u>72,546,506.00</u>
Total .....	\$ 78,387,004.00

## AUTHORIZED POSITIONS:

Permanent: Full Time .....	10
Part Time .....	0
Time-Limited: Full Time .....	6
Part Time .....	0

Funds are provided herein to adjust the Variable Compensation Plan to ensure that all full-time employees receive a pay increase equal to the realignment component of the Variable Compensation Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater, with not more than one-half (1/2) to be awarded on July 1, 2006, with the remainder to be awarded on January 1, 2007.

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2008 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2007 appropriation for "Personal Services" when annualized, with the exception of escalated funds.

If, at the time the agency takes any action to change "Personal

Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2007 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

**SECTION 5.** It is the intention of the Legislature that the Department of Human Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2006. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2008 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2007 budget request process.

**SECTION 6.** None of the funds appropriated under the provisions of Sections 1 and 2 shall be used to pay any contractor

that is not a successful bidder for genetic paternity testing services bid by the Department of Human Services.

**SECTION 7.** Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2006. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

**SECTION 8.** It is the intention of the Legislature that the Department of Human Services contract with the Department of Health to operate the School Nurse Teen Pregnancy Prevention Pilot Program as described in House Bill No. 766 of the 1997 Legislative Session, in compliance with all applicable TANF federal and state regulations.

**SECTION 9.** Of the funds appropriated in Section 2, Five Million Five Hundred Thousand Dollars (\$5,500,000.00) of TANF (Temporary Assistance for Needy Families) federal funds shall be transferred to the Office of the Attorney General for the purpose of subgranting with entities which will develop and implement programs that serve unmet needs of "at risk" youth in the state, including, but not being limited to, Boys and Girls Clubs, Big Brothers Big Sisters of America, Communities in Schools, and the State Coalition of Young Men's Christian Association (YMCA). Of the funds authorized in this section, not more than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be allocated among Boys and Girls Clubs, Big Brothers Big Sisters of America, and Communities in Schools, and not more than Two Million Dollars (\$2,000,000.00) shall be allocated to the State Coalition of Young Men's Christian Association (YMCA). The Attorney General shall administer the transferred TANF funds.

**SECTION 10.** Of the funds authorized in Section 9, an amount not to exceed One Million Dollars (\$1,000,000.00) of TANF funds as contained in the federal "TANF Emergency Response and Recovery Act of 2005," shall be transferred to the Attorney General for the purpose of contracting with Boys and Girls Clubs in the Katrina impacted areas of the State of Mississippi.

**SECTION 11.** None of the above funds shall be used to hire employees under Personal Service Contracts except for Personal Service Contracts for the Office for Children and Youth - Child Care and Office for Children and Youth - Child Care Managers.

**SECTION 12.** The Department shall shift expenditures from the Temporary Assistance for Needy Families (TANF) portion of the Child Care Development Block Grant Funds (CCDF) to the CCDF matching grant portion for the continued funding of the Families First Resource Centers through the current federal fiscal year (September 30, 2006).

The department shall utilize TANF funds from the federal Fiscal Year 2007 allotment for the continued funding of the Families First Resource Centers through June 30, 2007.

**SECTION 13.** The department is authorized to escalate, budget and expend special and/or federal funds received from any source to carry out the duties of the department in an amount not to exceed Twenty Million Dollars (\$20,000,000.00). Such funds are to be escalated in accordance with procedures for federal fund escalations as established in Section 27-104-21, Mississippi Code of 1972, and expended for the purposes of performing such duties as set forth by law in accordance with applicable rules and regulations of the State Fiscal Officer.

**SECTION 14.** It is the intention of the Legislature that the Executive Director of the Department of Human Services may authorize increases in major objects of expenditure in total amounts not to exceed twenty-five percent (25%) of the appropriated amount of each major object of expenditure, provided

that other major objects of expenditure are decreased by a corresponding dollar amount. However, no transfers shall be authorized which increase the major object of expenditure "Salaries, Wages and Fringe Benefits."

**SECTION 15.** It is the intention of the Legislature that the Executive Director of the Department of Human Services may transfer between the various offices authorized herein General Funds, Special Funds and spending authority not to exceed twenty-five percent (25%) of the receiving office in addition to any other transfers or escalations made in accordance with Section 27-104-17(3), Mississippi Code of 1972. However, the budget category of "Salaries, Wages and Fringe Benefits" shall not be changed.

The Executive Director of the Department of Human Services shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer. It is further the intention of the Legislature that any transfers made under the provisions of this paragraph shall be of an emergency nature and that in no case shall the transfers be made which substantially alter the legislative intent for the various offices as set forth in the original appropriations made under this act.

**SECTION 16.** Of the funds in Sections 1 and 2, and authorized positions in Section 4, the agency shall establish a full time, permanent Nutritionist Supervisor position (Occupation Code 1967) in the Office of Aging and Adult Services on July 1, 2006, and shall fill this position as soon as practicable.

**SECTION 17.** It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind

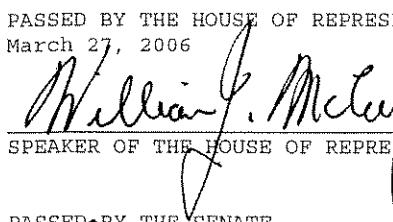
shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

**SECTION 18.** The Department of Human Services is hereby authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

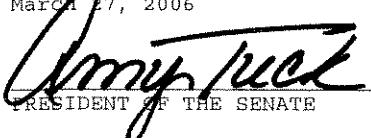
**SECTION 19.** The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

**SECTION 20.** This act shall take effect and be in force from and after July 1, 2006.

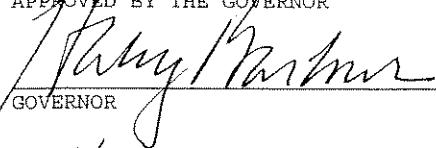
PASSED BY THE HOUSE OF REPRESENTATIVES  
March 27, 2006

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 27, 2006

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

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